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FORM

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| Application Serial Number | 10/577,348 |
| Filing Date | April 28, 2006 |
| First Named Inventor | Browning |
| Group Art Unit | 3734 |
| Examiner Name | Blatt, Eric D. |
| Attorney Docket No. | MPA-004 |
| Confirmation No. | 6914 |

ENCLOSURES (check all that apply)

- | | | |
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| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Check attached <input type="checkbox"/> Copy of Fee Transmittal Form <input checked="" type="checkbox"/> Amendment/Response (6 pgs.) <input type="checkbox"/> Preliminary <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets ____] <input type="checkbox"/> Petition for Extension of Time <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Form PTO-1449 <input type="checkbox"/> Copies of IDS Citations <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Sequence Listing submission <input type="checkbox"/> Paper Copy/CD <input type="checkbox"/> Computer Readable Copy <input type="checkbox"/> Statement verifying identity of above | <input type="checkbox"/> Copy of Notice to File Missing Parts of Nonprovisional Application <input type="checkbox"/> Formal Drawing(s) <input type="checkbox"/> Request For Continued Examination (RCE) Transmittal <input type="checkbox"/> Power of Attorney (Revocation of Prior Powers) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> CD(s) for large table or computer program <input type="checkbox"/> Amendment After Allowance <input type="checkbox"/> Request for Certificate of Correction <input type="checkbox"/> Certificate of Correction (in duplicate) | <input type="checkbox"/> Notice of Appeal to Board of Patent Appeals and Interferences <input type="checkbox"/> Appeal Brief (in triplicate) <input type="checkbox"/> Status Inquiry <input checked="" type="checkbox"/> Return Receipt Postcard <input type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8 <input type="checkbox"/> Certificate of Facsimile Transmission under 37 C.F.R. 1.8 <input type="checkbox"/> Additional Enclosure(s) (please identify below) |
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PATENT
Attorney Docket No.: MPA-004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Browning CONFIRMATION NO.: 6914
APPLICATION NO.: 10/577,348 GROUP NO.: 3734
FILING DATE: April 28, 2006 EXAMINER: Blatt, Eric D.
TITLE: Hernia Prosthesis

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT AND RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

This paper is responsive to a restriction requirement issued in an Office action mailed from the U.S. Patent and Trademark Office on February 11, 2008, in relation to the above-identified application. The Office Action, pursuant to 35 U.S.C. § 121, sets forth a restriction requirement requiring Applicant to elect one of the following alleged inventions for prosecution on the merits, namely:

Group I, claims 1-14, drawn to a prosthesis for repair or to resist the formation of an abdominal wall hernia.

Group II, claims 15-17, drawn to a method for treating hernia.

In response to the Restriction Requirement, Applicant elects, without traverse, Group II, claims 15-17, drawn to a method for treating hernia, for prosecution at this time.

In addition, Applicant hereby amends claims 15-17 and submits new claims 18-32 as indicated in the listing of claims starting on Page 2 of this paper. Applicant respectfully submits that no new matter is introduced by the claim amendments.

Applicant believes no fee is due for this submission. However, if a fee is due, please consider this a conditional petition and a conditional authorization to charge the required fee for this submission to Deposit Account No. 50-1721.